
PDF PAGE 1, COLUMN 4

***Frank Asks
Commutation of
Death Sentence to
Life Term***

**PDF PAGE 1,
COLUMN 7**

**CLEMENCY PLEA
IS**

**FILED WITH
PARDON**

BOARD BY COUNSEL

Beaten in the Courts,
Man

Convicted as Slayer of
Mary

Phagan Takes Case to
State

Prison Commission

**ASSERTS HIS
INNOCENCE**

OF CHARGE OF MURDER

Evidence Submitted at
Trial

Was Not Sufficient to
War-

rant Verdict of Guilt,
He

Says in Plea for Life

Leo M. Frank Thursday afternoon filed with Captain Goodloe H. Yancey, Secretary of the State Prison Commission, his Petition for Executive Clemency. It was filed by Attorney Harry A. Alexander, one of Frank's Attorneys, and asks for a Commutation of the death sentence to one of life imprisonment.

The Petition, which was signed by Frank, was in the form of an Affidavit sworn to by him before John B. Suttle, a notary public. It was executed in Frank's cell at the Fulton County Tower.

Frank sets out that he is absolutely innocent of the Crime for which he was convicted; declares the evidence upon which he was convicted was a questionable and unreliable character; asserts that his guilt has not been established beyond a reasonable doubt, and announces that at the time of the hearing before the Prison Commission, he will submit other evidence and facts to support his position. Four copies of the Court Record in the Case were filed with the Petition.

Frank suggests to the members of the Prison Commission that they personally inspect the physical conditions obtained at the Pencil Factory where the murder of Mary Phagan occurred, declaring that if this is done, they will be in a better position to understand the evidence.

It will probably be several days before the Commission sets a date for hearing the Petition, which follows in full:

THE FORMAL PETITION.

To the Honorable Prison Commission and the Governor of the State of Georgia:

The Application of Leo M. Frank for Executive Clemency respectfully shows: On August 26, 1913, I was convicted in the Superior Court of Fulton County of murder, and I am now under sentence of death pronounced on said verdict. I ask that this sentence be commuted to life imprisonment upon the following grounds:

I am absolutely innocent of the crime of which I was convicted. My death would neither avenge it nor punish the real perpetrator. I have no personal knowledge of the crime other than the facts related by me in my statement made at the trial. Beyond these facts, I know no more than any other person who was present in the Court Room and heard the evidence.

The main evidence on which I was convicted was of a questionable, unreliable character. My alleged guilt has not been established beyond a reasonable doubt; but, on the contrary, conflict of testimony, uncertainty and doubt still exist as to every material feature of the Case made against me.

I do not undertake to set out herein, in full, all the reasons on which I ask clemency, but request permission to do so at the hearing. I file herewith four printed Copies of the Brief of the evidence introduced at the trial, and urge that they be given the most careful consideration.

An examination of the Building and Premises of the National Pencil Factory is necessary to a clear understanding of the evidence, and I earnestly request that before beginning the Examination of the Record a personal inspection of this building and premises be made.

Respectfully submitted,

LEO M. FRANK
